

REMARKS

Applicant has carefully reviewed the Examiner's July 10, 2003 Official Action and respectfully requests reconsideration based on the above amendments and the following comments.

Claims 1, 3-11 and 13-24 remain in the application for consideration.

In response to the Examiner's objection to the drawing, Applicant has enclosed, for the Examiner's approval, corrected Fig. 1 amended in red to label the skin numeral 710. A corresponding amendment has been made to the specification on page 4, line 6. Applicant respectfully submits that this objection has now been overcome.

Applicant thanks the Examiner for his indication that claims 11 and 13-24 are allowed, and that claims 3-10 would be allowable subject to being written in independent form.

The Examiner has further rejected claim 1 under 35 U.S.C. 102(e) as being anticipated by Shapland '787. Applicant respectfully traverses this rejection especially as applied to claim 1 as amended.

The Examiner maintains that electrode (20) in Shapland is adapted to apply RF energy to the skin. In fact, this electrode is located on a catheter tip that is inserted in the body during use. It is used in an invasive procedure, and is not used to apply RF energy to the surface of the skin. Electrode

(22) in Shapland is applied to the skin surface. Thus, Shapland uses one electrode applied to the surface of the skin and one electrode that is implanted in the body. Applicant respectfully submits that claim 1 as amended distinguishes over the above structure of Shapland.

Further, it is noted that the system of Shapland is used for generating an iontophoretic current of a drug inside the body. One would not have been motivated from the teachings of Shapland to adapt the system of Shapland for thermal treatment of skin irregularities.

Accordingly, Applicant respectfully submits that claims 1 and 3-10 are also allowable along with allowed claims 11 and 13-24 and that this application is now in condition for allowance.

Applicant submits that the invention is new and unobvious and not disclosed by the cited art. Accordingly, Applicant respectfully solicits the Examiner's early review and issuance of this application.

Respectfully submitted
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Annotated Sheet Showing Changes

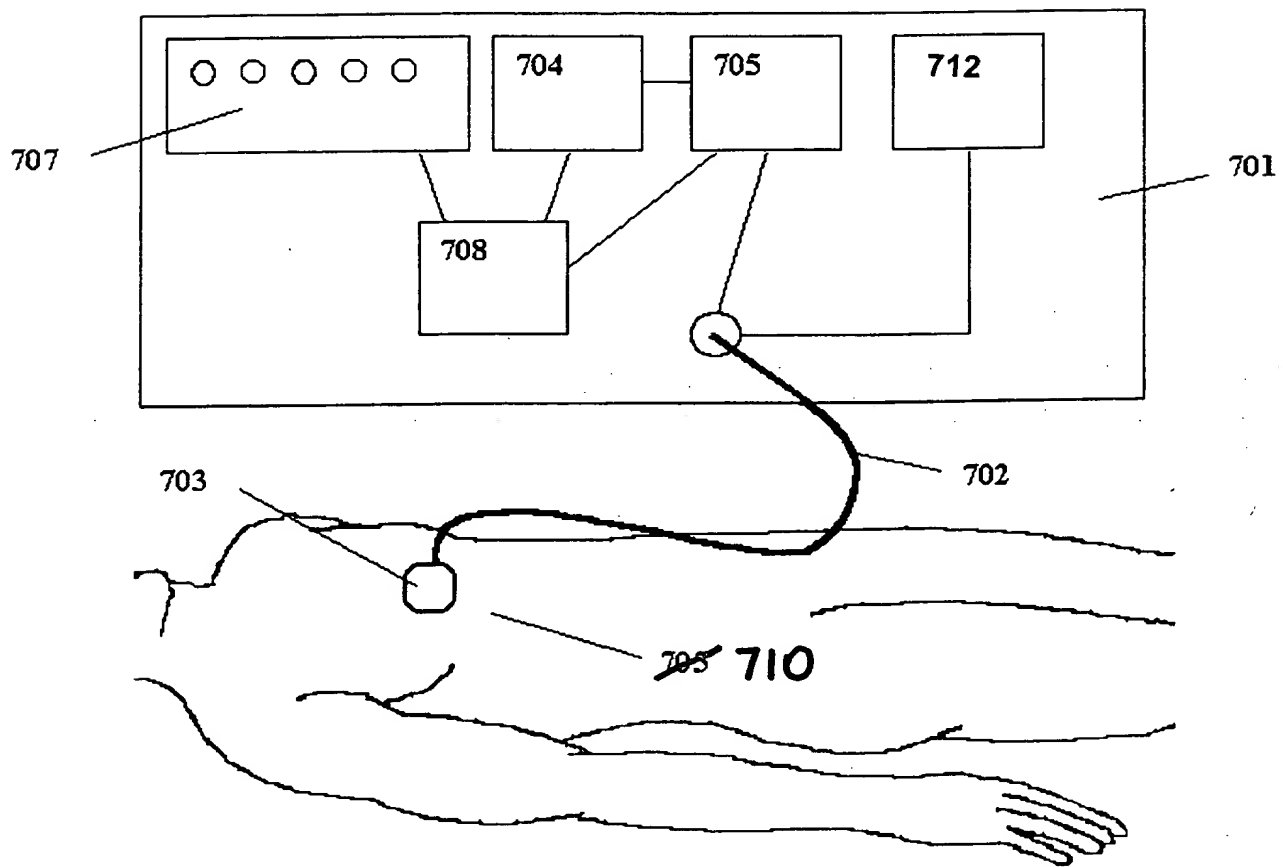


Figure 1